

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS JANUARY 30, 2012

The Rush County Board of Commissioners met in regular session, Monday, January 30, 2012 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the January 17, 2012 meeting as presented. Marvin Cole seconded the motion. Motion carried.

PROSECUTOR

Phil Caviness, Prosecutor, received approval on a motion by Marvin Cole to have installed a dead bolt in the child support IV-D office. Ken Masters seconded the motion. Motion carried.

COURTHOUSE WEDDING

Hillary Cameron along with her mother Barb appeared before the commissioners to formerly request the use of the courthouse Saturday, March 10, 2012 for the small wedding of Hillary and her fiancé. Tom Barnes stated that he has spoke with Judge Northam and there will be no conflict. Ken Masters made the motion to allow the wedding to be held in the courthouse from 11:00 am until 4:00 pm, with the Sheriff Dept providing security. Marvin Cole seconded the motion. Motion carried. Leigh Morning will prepare a release of liability document to be sign by all parties. A janitor will be required. The Cameron's are responsible for cleaning up following the wedding.

EMS

Anderson Twp Vol. Fire Dept. Fire Chief Nick White along with Anderson Twp. Trustee Karen Jenkins appeared before the commissioners to receive clarification of one item of the prepared Ambulance Services Agreement.

Nick White referred to item 2.4 "*For emergency calls, Provider shall transport the patient to Rush Memorial Hospital unless reasonable extenuating circumstances exist, such as another medical facility is closer.*"

White asked for clarification of "*extenuating circumstances*". The commissioners along with County Attorney stated that this meant that the patient can be transferred to another appropriate receiving facility other than Rush Memorial Hospital at the request of the patient.

White also asked to have the GIS map changed from Milroy to Anderson Twp. Deborah Adams will have this amended immediately.

Fire Chief Nick White and Karen Jenkins, Anderson Twp. Trustee both signed the Ambulance Services Agreement.

Carthage Vol. Fire Dept. of Rush County, Inc. Ambulance Service Agreement was signed by Crystal Trueblood, President of the department. The commissioners accepted and approved The agreement on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Raleigh Fire Dept. is close to signing their agreement. A meeting is scheduled for February 4th at 1:00pm at their facility if there are still concerns with the agreement. The board and members are ok with the contract. They are currently waiting for Dr. Boersma to give his final approval. The commissioners asked that any claims for 2012 are held until the contract is signed.

INSURANCE

Sean Kimble of Liberty National Insurance approached the commissioners regarding offering county employees insurance. The commissioners referred Kimble to the Insurance Committee. Jerry Sitton indicated that they will meet in April.

AREA PLAN COMMISSION

Bill Todd, Area Plan Director, was present for a 9:30 am hearing to amend the Zoning Ordinance language of the A-1 and the A-1R consistent with the A-3 zone.

Comments were received from the public: John Saxon questioned if this amendment affects property owners with 10 acres or more. Bill Todd responded yes. Saxon asked if there was any language for property owners with 10 acres or less. Bill Todd responded no. Tom Barnes instructed Saxon to go before the Area Plan Commission for Changes to the Zoning Ordinances.

Saxon shared his concerns of how the creating of a separate class of citizens was being done. If you are going to make it equal make everyone the same. Saxon shared that there is zoning for more than 10 acres and zoning for less than 10 acres. This hearing only benefits a certain class of property owners. Tom Barnes did share his understanding. Barnes stressed that it is not the ability of the commissioners to make the changes. The APC is catching and cleaning up some of the items that fell through the cracks when the ordinances were written in 2007. Once the amendments are brought before the commissioners and a hearing is held then the changes can be made.

Leigh Morning did speak up informing Saxon that this information had been in the previous table of zoning ordinances and was overlooked in the language in 2007. Saxon did ask for all three commissioners to give their individual positions on the matter. Leigh Morning

informed Saxon that this was not an appropriate question to ask. Some of the commissioners may not be here to make the final decision, as two are up for re-election.

Ken Masters later spoke that in his opinion this disallowed trailers, as in past years there use to allow one trailer and the intent is not to have a trailer park.

Marvin Cole made the motion to approve the amendment. Ken Masters seconded the motion. Motion carried. Tom Barnes stated that this part of the amendment was done. If there is another issue in the future to be clarified, the commissioners will be glad to call another hearing.

SHERIFF

Jeff Sherwood, Sheriff, reported fifty-two (52) inmates currently incarcerated in the Rush County Jail.

Sherwood reported that the new vehicle is in. Marvin Cole made the motion to sign over the title of the 2009 Dodge Durango as a trade in for the new vehicle. Ken Masters seconded the motion. Motion carried.

Sherwood reported that the new windows and door have been installed in the upstairs of the jail building. Custer Electric is currently installing the generator.

HIGHWAY

Jerry Sitton, Highway Superintendent, had nothing to report

COURTHOUSE

Tom Barnes shared roof photos and reported on the gutter decay, valley decay, cracked tile, tuck pointing that is needed. This is all from the recent visit from the report of Wellman Brothers. Barnes noted that none of the repairs are related to the clock tower roof.

The antenna on the peak leaks. The antenna is used by the school and it will also need addressed.

The approximate cost is \$4,000.00 to \$5,000.00. Barnes would like to address this yearly in sections. Ken Masters made the motion to address this yearly in addition to preparing a comprehensive plan.

The panic alarm buttons will be funded from the courthouse budget. The approximate is \$2,900.00

AUDITOR

Deborah Adams, Auditor, Received approval on payroll for the pay period ending 2-3-12 on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

Bi-weekly Claims were presented. Adams asked that the Ruxer claim for \$159.70 be pulled as it was a duplicate. Ken Masters made the motion to approve and pay all claims with the exception of Raleigh Fire Dept. EMS contract and that is to be held until their 2012 contract agreement is signed. Marvin Cole seconded the motion. Motion carried.

Surety Bond was signed on a motion by Marvin Cole for Recorder Sally Niedenthal, seconded by Ken Masters. Motion carried. Surety bond was also signed for Surveyor Marvin Rees on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

Adams reported that the petition for the proposed of the vacating of the alleys and street in Arlington has been sent back to Worth and Barada. And Dr. John Williams, Superintendent of Schools. Adams reported on the Survey discrepancy as she had earlier discussed with Jerry Sitton and could still be resolved in another manner.

Adams reported that a complaint had been received in reference to the Revolutionary War "Farlow" Cemetery located on property owned by the Milroy Canning Factory. The cemetery is located in Anderson Twp. Adams stated that it was her understanding that the township trustee's are responsible for the cemeteries. The commissioners instructed her to contact Karen Jenkins of the complaint.

RECONSTRUCTION DRAINS

Leigh Morning presented Incumbency Certificates regarding the James Cassidy and the William T. Moore Reconstruction Drains. The Incumbency Certificates gives authorization for the commissioners to sign loan agreements. Ken Masters made the motion to sign the certificates. Marvin Cole seconded the motion. Motion carried.

FORMER JR. HIGH

Tom Barnes, informed Marvin Rees representing the Masonic Lodge that a formal proposal is needed form the Masonic Lodge to proceed with the purchasing of the former Junior High located on Perkins Street.

John Saxon questioned the commissioners if the county is going to sell the lot to the Masons. Tom Barnes responded that it depends on the offer. The commissioners have seen no formal proposals. Saxon asked for the definition of selling. Barnes responded: exchanging of money.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

/s/Tom Barnes
Tom Barnes, Chairman

/s/Marvin Cole
Marvin Cole

/s/Ken Masters
Ken Masters

ATTEST:

/s/Deborah C. Adams
Deborah C. Adams, Auditor